

## § 153.105

the scene of an oil or hazardous substance discharge as prescribed in the National Oil and Hazardous Substances Pollution Contingency Plan (National Contingency Plan) as published in 40 CFR Part 300.

(o) *Onshore facility* means any facility (including, but not limited to, motor vehicles and rolling stock) of any kind located in, on, or under, any land within the United States other than submerged land.

(p) *Person* includes an individual, firm, corporation, association, and a partnership.

(q) *Pollution Fund* and *Fund* means the revolving fund established in the Treasury under the authority in section 311(k) of the Act to carry out the provisions of section 311 (c), (d), (i), and (l) of the Act.

(r) *Public vessel* means a vessel owned or bare-boat chartered and operated by the United States, or by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce.

(s) *Remove* or *Removal* refers to removal of oil or hazardous substances from the waters and shorelines or the taking of such other actions as may be necessary to minimize or mitigate damage to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, and public and private property, shorelines, and beaches.

(t) *Sorbent* means materials essentially inert and insoluble used to remove oil from water through a variety of sorption mechanisms. Examples include straw, expanded perlite, polyurethane foam, reclaimed paper fibers, and peat moss.

(u) *Such quantities as may be harmful* means those quantities of oil and any hazardous substances determined in accordance with the provisions of section 311(b)(4) of the Act.

NOTE: Regulations that relate to such quantities as may be harmful of oil are published in 40 CFR Part 110. Regulations that relate to such quantities as may be harmful (reportable quantities) of hazardous substances are published in 40 CFR Part 117 and also listed in 40 CFR Part 302.

(v) *United States* means the States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

## 33 CFR Ch. I (7-1-13 Edition)

(w) *Vessel* means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water other than a public vessel.

[CGD 84-067, 51 FR 17965, May 16, 1986, as amended by CGD 88-052, 53 FR 25121, July 1, 1988; CGD 96-026, 61 FR 33665, June 28, 1996; CGD 97-023, 62 FR 33363, June 19, 1997; USCG-2002-12471, 67 FR 41333, June 18, 2002; USCG-2008-0179, 73 FR 35014, June 19, 2008]

### § 153.105 FWPCA delegations and re-delegation.

The delegations and redelegations under the Federal Water Pollution Control Act (FWPCA) [33 U.S.C. 1321 *et seq.*] are published in § 1.01-80 and § 1.01-85, respectively, of this chapter.

[CGD 91-225, 59 FR 66485, Dec. 27, 1994]

### § 153.107 [Reserved]

### § 153.109 CERCLA delegations.

The delegations under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) are published in § 1.01-70 of this chapter.

[CGD 83-009, 49 FR 575, Jan. 5, 1984]

## Subpart B—Notice of the Discharge of Oil or a Hazardous Substance

### § 153.201 Purpose.

The purpose of this subpart is to prescribe the manner in which the notice required in section 311(b)(5) of the Act is to be given and to list the government officials to receive that notice.

### § 153.203 Procedure for the notice of discharge.

Any person in charge of a vessel or of an onshore or offshore facility shall, as soon as they have knowledge of any discharge of oil or a hazardous substance from such vessel or facility in violation of section 311(b)(3) of the Act, immediately notify the National Response Center (NRC), U.S. Coast Guard, 2100 2nd St., SW., Stop 7238, Washington, DC 20593-7238, *toll free telephone number: 800-424-8802, direct telephone: 202-267-2675, or Fax: 202-267-1322.* If direct reporting to the NRC is not practicable, reports may be made to the